

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, March 19, 2002, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CYNTHIA P. COAD
CHAIR
Fourth District

THOMAS W. WILSON
VICE CHAIR
Fifth District

CHARLES V. SMITH
SUPERVISOR
First District

JAMES W. SILVA
SUPERVISOR
Second District

TODD SPITZER
SUPERVISOR
Third District

ATTENDANCE: Supervisors: Coad, Smith, Silva and Spitzer

EXCUSED: Supervisor Wilson

PRESENT: COUNTY EXECUTIVE OFFICER Michael Schumacher
COUNTY COUNSEL Benjamin P. de Mayo
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Smith, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Spitzer, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-41)

21354 **APPROVED AS RECOMMENDED WITH THE EXCEPTIONS OF ITEMS 5, 9 AND 22
WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; AND ITEMS 32-39
WHICH RECEIVED NO VOTES FROM SUPERVISOR SILVA**

BOARD APPOINTMENTS

1. **Chair Coad** - Protocol Commission - Reappoint Tom Coad, Anaheim, for term ending 9/29/03 and Kate Klimow, Anaheim, for term ending 9/23/03

COMMENDATIONS/PROCLAMATIONS

2. **Supervisor Silva** - Adopt resolution recognizing the honorees of Sixth Annual Countywide Volunteer Recognition for their commitment to public service
RESO: 02-063

Chair Coad:

S U M M A R Y A C T I O N M I N U T E S

3. Adopt resolution recognizing 30th Anniversary of the establishment of "Elderly Nutrition Program" and proclaiming May 2002 as "Older Americans Act Month"
RESO: 02-064
4. Adopt resolution proclaiming April 7, 2002 as "Croatian Day"
RESO: 02-065

COMMUNITY SERVICES AGENCY

5. Receive and file Annual Report for Orange County Human Relations Commission, FY 2000-01 - All Districts
43125 **APPROVED AS RECOMMENDED**
6. Approve amendment 8 to agreements with Easter Seals of Southern California, Inc., (\$73,810) and Vietnamese Community of Orange County Inc. (\$69,142) for Older Americans Act programs, FY 2001-02; and authorize Office on Aging Director to execute subsequent amendments under certain conditions - All Districts

HEALTH CARE AGENCY

7. Approve agreement with Orange County Community Development Council, Inc. for Targeted Health Education Campaign to Older Adults - Health Promotion Intervention services, 4/1/02 - 6/30/03 (\$150,000) - All Districts
8. Ratify emergency purchase of laboratory equipment for bioterrorism testing (\$144,762) - All Districts
9. Approve price agreement S1000000262 with Orangewood Children's Foundation for production of the Eighth Annual Report on Conditions of Children in Orange County, 3/1/02 - 2/28/03 (\$71,728); renewable for two additional years (\$82,576 per year) - All Districts
24135 **APPROVED AS RECOMMENDED**

HOUSING AND COMMUNITY DEVELOPMENT

10. Acting as the Board of Supervisors and Orange County Housing Authority - Approve submission of application to U.S. Department of Housing and Urban Development for Fair Share Allocation of Incremental Voucher Funding Fiscal Year 2002 for allocation of 900 additional housing vouchers - All Districts

JOHN WAYNE AIRPORT

11. Approve amended settlement stipulation with Newport Beach, Stop Polluting Our Newport and Airport Working Group, Inc. for continuation of operating capacity for commercial all-cargo carriers, 2002-03 Plan Year (4/1/02 - 3/31/03); and approve leases with United Parcel Service Company and Federal Express Corporation - District 2 (Continued from 2/26/02, Item 17)
12. Approve price agreement N1000004242 with Amtech Elevator Services for maintenance and emergency services for escalators, 4/1/02 - 3/31/05 (\$150,000); renewable for two additional years (\$50,000 each year); and make California Environmental Quality Act findings - District 2

S U M M A R Y A C T I O N M I N U T E S

13. Approve agreement with Popov Engineers, Inc. for Communications Infrastructure Strategy Plan/Study (\$184,230); and make California Environmental Quality Act findings - District 2

PLANNING AND DEVELOPMENT SERVICES

14. Adopt resolution updating policies and procedures for processing and implementing development agreements and rescinding resolution 88-102 - All Districts
RESO: 02-066

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

15. Receive and file status report for Orange County Red Imported Fire Ant Program - All Districts
16. **Acting as the Orange County Flood Control District** - Approve agreement D01-138 with Laguna Hills for clearing of Arundo Donax, Aliso Creek - District 5
17. Approve plans and specifications and set bid opening for 4/24/02, 2:00 p.m., for remodeling of HCA/Public Health Laboratory - Task 2 - bacteriology - District 1
18. Approve plans and specifications and set bid opening for 5/1/02, 2:00 p.m., for Phase 1 renovation of Probation/Los Pinos Conservation Camp - District 5
19. Approve agreement D01-126 with Tustin for asphalt overlay resurfacing of Yorba Street - District 3
20. Approve agreement D02-014 with LAN Engineering Corporation for on-call services for bridge projects (\$300,000) - District 3
21. Adopt resolution vacating scenic preservation and emergency and public service vehicular ingress and egress easements; accept easements from Montecito Coast Homeowners Association for Parcels OS62B/124-128 and Z99609/120-124, Newport Beach; and make California Environmental Quality Act and other findings - District 5
RESO: 02-067
22. Approve plans and specifications and set bid opening for 5/8/02, 2:00 p.m., for 90-bed facility for boys and girls and access road, Probation/Rancho Potrero Leadership Academy - District 3
- 35124 **APPROVED AS RECOMMENDED**
23. Approve agreement D01-142 with Tetra Tech, Inc. for design and construction support services, Tustin Avenue widening project (\$385,396); and authorize Department to negotiate agreement with Burlington Northern and Santa Fe Railway for widening Tustin Avenue grade-crossing for Board approval - Districts 3 & 4

S U M M A R Y A C T I O N M I N U T E S

SOCIAL SERVICES AGENCY

- 24. Approve agreement with Orange County Superintendent of Schools for transportation services for the Homeless Outreach Program Education, 4/2/02 - 6/30/03 (\$99,000); and authorize Agency to extend agreement under certain conditions - All Districts
- 25. Approve Emergency Shelter Home and Emergency Shelter Home/Unconditional Placement agreements with various foster parents for temporary out-of-home care, approve rate increase and up front payment for special needs, 7/1/02 - 6/30/05 (\$358,284) - All Districts
- 26. Accept grant funds from Federal Office of Refugee Resettlement (\$55,023); and approve agreement with Saint Anselm's Cross-Cultural Community Center for services to older refugees 4/1/02 - 9/30/02 (\$90,000) - All Districts

PUBLIC PROTECTION

Sheriff-Coroner:

- 27. Approve plans and specifications and set bid opening for 4/24/02, 2:00 p.m., for installation of a closed circuit television surveillance system, Brad Gates Forensic Science Center; and make California Environmental Quality Act findings - District 1
- 28. Authorize use of County-owned vehicles to accompany relay teams for participation in the 2002 Baker to Vegas Challenge Cup Relay Race, 4/20/02 - 4/21/02; and make appropriate findings - All Districts

GENERAL ADMINISTRATION

- 29. **County Counsel** - Adopt resolution authorizing validation proceedings for Newport Coast Phase IV Assessment District No. 01-1 - District 5
RESO: 02-068
- 30. **County Executive Office** - Approve amended price agreement N1000002921 with Donald F. McIntyre, Urban Affairs Consultant for assistance with Watershed & Environmental Programs (\$50,000; new total \$100,000) - All Districts
- 31. **Treasurer-Tax Collector** - Approve establishment of out-of-state bank accounts for disbursement of County funds in accordance with California Government Code Section 53631 - All Districts

Supervisor Smith:

- 32. Approve Community Social Program Grant funds to Westminster Multi-Cultural Community Center; approve budget adjustments; and make appropriate findings, 3/19/02 - 9/30/02 (\$10,000)

21354 **APPROVED AS RECOMMENDED**
N

- 33. Approve Community Social Program Grant funds to Human Options; approve budget adjustments; and make appropriate findings, 3/19/02 - 9/30/02 (\$5,000)

21354 **APPROVED AS RECOMMENDED**
N

S U M M A R Y A C T I O N M I N U T E S

34. Approve Community Social Program Grant funds to Paul McNeff KidSingers; approve budget adjustments; and make appropriate findings, 3/19/02 - 9/30/02 (\$3,000)

21354
N **APPROVED AS RECOMMENDED**

35. Approve Community Social Program Grant funds to Taller San Jose Tech; approve budget adjustments; and make appropriate findings, 3/19/02 - 9/30/02 (\$5,000)

21354
N **APPROVED AS RECOMMENDED**

36. Approve Community Social Program Grant funds to Korean-American Seniors Association of Orange County; approve budget adjustments; and make appropriate findings, 3/19/02 - 9/30/02 (\$5,000)

21354
N **APPROVED AS RECOMMENDED**

37. Approve Community Social Program Grant funds to 2002 Santa Ana Police & Fire Games, Inc.; approve budget adjustments; and make appropriate findings, 3/19/02 - 9/30/02 (\$2,500)

21354
N **APPROVED AS RECOMMENDED**

Chair Coad:

38. Approve Community Social Program Grant funds to The Bradford House; approve budget adjustments; and make appropriate findings, 3/19/02 - 9/30/02 (\$1,000)

21354
N **APPROVED AS RECOMMENDED**

39. Approve Community Social Program Grant funds to Boys and Girls Club of Placentia; approve budget adjustments; and make appropriate findings, 3/19/02 - 9/30/02 (\$1,000)

21354
N **APPROVED AS RECOMMENDED**

EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE

40. Receive and file the External Restructuring Program Report for the County of Orange.

STRATEGIC/FINANCIAL PLAN UPDATE

41. Receive and file the Strategic/Financial Plan Report for the County of Orange.

END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 42-S52A)

COMMUNITY SERVICES AGENCY

42. Approve amendment 2 to agreements with various youth service providers for distribution of CalWORKs Incentive Funds for Youth Employment Services Program, 4/1/02 - 6/30/03 (\$1,877,116; new total \$11,155,155) - All Districts
12354 **APPROVED AS RECOMMENDED**
 X

HEALTH CARE AGENCY

43. Adopt resolution approving agreement 01-15619 with State Department of Health Services for California Nutrition Network for Healthy Active Families, 10/1/01 - 9/30/02 (\$638,801) - All Districts
14235 **APPROVED AS RECOMMENDED**
 X
 RESO: 02-069

INTEGRATED WASTE MANAGEMENT DEPARTMENT

44. Select Bryan A. Stirrat & Associates as primary and GeoSyntec Consultants as alternate firms for Master Plan Update, Frank R. Bowerman Landfill; and authorize negotiation of agreement for Board approval - District 3
31254 **APPROVED AS RECOMMENDED**
 X

SOCIAL SERVICES AGENCY

45. Approve lease with IPT Partners, LLC for office space for Social Services Agency/Children and Family Services, Orange; and make California Environmental Quality Act findings - District 3
32154 **APPROVED AS RECOMMENDED**
 X
46. Approve agreements WMZ1001 with MAXIMUS, Inc. for CalWORKS Welfare-to-Work case management services, 4/1/02 - 3/31/05 (\$29,837,518); and WSH1101 with Curtis & Associates for CalWORKS Welfare-to-Work job services, employment support and job retention services, 4/1/02 - 3/31/05 (\$37,919,288); and authorize Agency to extend agreements under certain conditions - All Districts
31254 **APPROVED AS RECOMMENDED**
 X
47. Approve three year plan for use of Child Abuse Prevention, Intervention and Treatment and Community Based Family Resource and Support Program funds and accept grant from State Office of Child Abuse Prevention, 7/1/02 - 6/30/05, (\$2,592,239); and authorize Director or designee to execute subsequent amendments under certain conditions - All Districts
13254 **APPROVED AS RECOMMENDED**
 X

S U M M A R Y A C T I O N M I N U T E S

PUBLIC PROTECTION

48. **Sheriff-Coroner** - Approve price agreement N1000004133 with Database Designers.com for design and implementation of database programs, 4/1/02 - 3/30/03; renewable for two additional years (\$200,000 per year) - All Districts

31254 **APPROVED AS RECOMMENDED**

X

GENERAL ADMINISTRATION

49. **County Executive Office** - Approve price agreement Y1000000535 with IBM Corporation for software licensing and support, 7/1/01 - 6/30/04 (\$811,773); renewable for two additional years (\$454,619 each year) - All Districts

13254 **APPROVED AS RECOMMENDED**

X

50. **Treasurer-Tax Collector** - Approve price agreements N1000004284 with SunGard Treasury Systems, 3/19/02 - 3/18/07 (\$659,110, plus \$83,800 annual support fee) and N1000004304 with Bloomberg Integration Services, LLC for Software License agreements and implementation of Treasury Workstation System, 3/19/02 - 3/18/07 (\$57,245, plus \$13,470 annual support fee); and adopt resolution declaring County's intent to use proceeds of indebtedness for reimbursement of expenditures in connection with project - All Districts

31254 **APPROVED AS RECOMMENDED**

X

RESO: 02-070

51. **Supervisor Spitzer** - Discuss and reconsider the decision by the Director of Planning & Development Services Department on a matter involving a Use Permit for recreational activities at Santiago Reservoir, unincorporated area (Continued from 2/5/02, Item S90A)

B.O. **CONTINUED TO 4/23/02, 9:30 A.M.**

52. **Chair Coad and Supervisor Spitzer** - Discuss and provide direction to staff relating to future of El Toro Local Redevelopment Authority; direct staff to draft amendment to County Ordinance; provide further direction to staff regarding future of MCAS El Toro; and report back to the Board at the El Toro Local Redevelopment Authority meeting on 4/16/02

B.O. **DISCUSSED AND DIRECTION PROVIDED TO STAFF**

- S52A. **Supervisor Smith and Supervisor Wilson** - Acting as the Board of Supervisors and MCAS El Toro Local Redevelopment Authority - Approve sublease with Western Heritage Association of San Juan Capistrano for Equestrian Center, former MCAS El Toro; and make California Environmental Quality Act and other findings - All Districts

51234 **APPROVED AS RECOMMENDED**

S U M M A R Y A C T I O N M I N U T E S

IV. PUBLIC HEARINGS (Items 53-55)

HOUSING AND COMMUNITY DEVELOPMENT

53. Acting as the Board of Supervisors and Orange County Housing Authority - Public Hearing to consider approving Annual Public Housing Agency Plan for FY 2002-03; and authorize submittal to U.S. Department of Housing and Urban Development- All Districts
B.O. **CLOSED PUBLIC HEARING**

12354 **APPROVED AS RECOMMENDED**
X

54. Acting as the Board of Supervisors and Orange County Housing Authority - Public Hearing to consider approving Administrative Plan; and authorize submittal to U.S. Department of Housing and Urban Development - All Districts
B.O. **CLOSED PUBLIC HEARING**

12354 **APPROVED AS RECOMMENDED**
X

PLANNING AND DEVELOPMENT SERVICES

55. Public Hearing to consider adopting resolution denying appeal filed by Nabhan and Yola Simaan of Planning Commission's denial of use Permit PA00-0125 for commercial wedding center, Silverado-Modjeska area - District 3 (Continued from 3/12/02, Item 30)
B.O. **CLOSED PUBLIC HEARING**

31254 **APPROVED AS RECOMMENDED; DENIED APPEAL**
X
RESO: 02-071

V. CLOSED SESSION

GENERAL ADMINISTRATION

- SCS1. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - THREATENED LITIGATION:
County Counsel requests a closed session for the Board of Supervisors to consider threatened litigation pursuant to Government Code Section 54956.9(b)(3)(D); one case - All Districts
B.O. **NO REPORTABLE ACTION**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Michael Hazard - Oral Re: Water quality and run off issues

Larry Laven - Oral Re: Zoning & prostitution

S U M M A R Y A C T I O N M I N U T E S

BOARD COMMENTS:

Supervisor Spitzer - Oral Re: Asked that Board offices establish method to keep each other informed of their activities related to MCAS El Toro Base.

ADJOURNED: 12:33 P.M.

*** KEY ***

Left Margin Notes

1. √ Supervisor Smith
2. √ Supervisor Silva
3. √ Supervisor Spitzer
4. √ Chair Coad
5. √ Supervisor Wilson

- A. √ Abstained
X. √ Excused
N. √ No
BO √ Board Order

Right Margin Notes

- O. √ Ordinance
R. √ Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CYNTHIA P. COAD, CHAIR
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board